

EXHIBIT H (Cont.)

Exhibit 9

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO § Case No.
ENTERO, et al., § 5:21-cv-844-XR
Plaintiffs, §

v. §

GREGORY W. ABBOTT, et §
al., §
Defendants. §

OCA-GREATER HOUSTON, et § Case No.
al., § 1:21-cv-780-XR
Plaintiffs, §

v. §

JOHN SCOTT, et al., §
Defendants. §

HOUSTON JUSTICE, et al., § Case No.
Plaintiffs, § 5:21-cv-848-XR

v. §

GREGORY WAYNE ABBOTT, et §
al., §
Defendants. §

LULAC TEXAS, et al., § Case No.
Plaintiffs, § 1:21-cv-0786-XR

Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232
210-697-3400 210-697-3408

JOHN SCOTT, et al., §
Defendants. §

MI FAMILIA VOTA, et al., § Case No.

1 Plaintiffs, § 5:21-cv-0920-XR
2 v. §
3 GREG ABBOTT, et al., §
 Defendants. §
4 §
5 §
6 UNITED STATES OF AMERICA, § Case No.
 Plaintiff, § 5:21-cv-1085-XR
7 v. §
8 THE STATE OF TEXAS, et §
 al., §
9 Defendants.

10
11 ORAL AND VIDEOTAPED DEPOSITION OF
12 DEBORAH CHEN
13 MARCH 28, 2022
14

15 ORAL AND VIDEOTAPED DEPOSITION OF DEBORAH CHEN,
16 produced as a witness at the instance of the Defendants
17 and duly sworn, was taken in the above styled and
18 numbered cause on Monday, March 28, 2022, from
19 10:31 a.m. to 7:24 p.m., before DONNA QUALLS, Notary
20 Public in and for the State of Texas, reported by
21 computerized stenotype machine, at the offices of the
22 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232
 Houston Chinese Community Center, 9800 Town Park Drive 210-697-3408
23 Houston, Texas, pursuant to the Federal Rules of Civil
24 Procedure, and any provisions stated on the record or
25 attached hereto.

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18 Julia Longoria
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DEBORAH CHEN

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210-697-3400 210-697-3408

1 THE REPORTER: We are on the record.
2 Today's date is Monday, March 28, 2022. The time is
3 10:31 a.m. This is the oral and videotaped deposition
4 of Deborah Chen, and it is being conducted in person and
5 remotely by agreement of the parties.

6 My name is Donna Qualls with Kim Tindall &
7 Associates. I am the court reporter. I will be
8 administering the oath and reporting the deposition
9 remotely by stenographic means.

10 Would counsels please state their name and
11 appearance for the record.

12 MS. HUNKER: Kathleen Hunker from the
13 State. I am accompanied by my cocounsel, Aristotle
14 Herbert, who is participating remotely.

15 MS. GIGUERE: For OCA-GH, this is Susanna
16 Lorenzo-Giguere from the Asian American Legal Defense
17 and Education Fund.

18 MR. DOLLING: I'm Zach Dolling for
19 OCA-Greater Houston, and I am with the Texas Civil
20 Rights Project.

21 MR. MIRZA: For OCA-Greater Houston, my
22 name is Hani Mirza. I'm with the Texas Civil Rights
23 Project.

24 THE REPORTER: Did anybody else online want
25 to introduce themselves?

1 says this is all you can do, which basically restricts
2 us from helping someone.

3 Q. And you've not sought to see whether or not
4 there's a limiting construction or any type of guidance
5 that was issued by another -- like a state organization
6 or entity, correct?

7 A. I haven't seen anything.

8 Q. Okay. And no member, volunteer, or staff
9 person of OCA-Greater Houston has been, I'll say,
10 prosecuted or have the threat of prosecution in regards
11 to this provision?

12 A. Not yet.

13 Q. Now, what is the harm that is specifically
14 directed at members or suffered by members?

15 MR. DOLLING: Objection; calls for legal
16 conclusion.

17 You can answer.

18 A. I would say it's the harm to members who want
19 to be good citizens and want to be volunteers and want
20 to encourage people to go out and vote. This
21 potentially makes them criminals if they do an

22 inadvertent mistake. This is a deterrence for people
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23 to -- to get involved and do community service for
24 members and community at large members who are, you
25 know, just regular voters. This potentially means they

1 A. Yes.

2 Q. Does this section directly regulate OCA-Greater
3 Houston?

4 MR. DOLLING: Objection; calls for a legal
5 conclusion.

6 You can answer.

7 A. Potentially, yes.

8 Q. (BY MS. HUNKER) Okay. And what is the
9 specific harm suffered by OCA-Greater Houston with
10 respect to Section -- section point -- 6.06?

11 MR. DOLLING: Objection; calls for a legal
12 conclusion.

13 You can answer.

14 A. The time and resources spent on trying to
15 understand what can or cannot be done under this
16 provision and how it impacts our work and the time and
17 resources spent on training people. And this is very
18 overly broad. Frankly, I'm not sure if -- even if we,
19 you know, are providing bottled water to people, if
20 that's some kind of compensation because everything has
21 an economic value. And this is an economic benefit.

22 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232
210-697-3400 (BY MS. HUNKER) So I am going to hand you 210-697-3408
23 what's State Exhibit 6.

24 A. Thank you.

25 (Exhibit No. 6 was marked.)

1 Q. (BY MS. HUNKER) And this is a tweet taken off
2 of the OCA-Greater Houston Twitter handle.

3 Have I identified the Twitter handle
4 correctly?

5 A. Yes.

6 Q. And it says (As read): "Join our canvassing
7 team. Help get out the vote. Competitive pay, 17 to
8 \$20, based on experience; leadership experience as team
9 lead; gas reimbursement."

10 Did I give a general description of that
11 tweet correctly?

12 A. Yes.

13 Q. Okay. And what was this in relation to?

14 A. This was for our canvassing efforts during the
15 March primary for 2022.

16 Q. And so this was during the March primary. It
17 was when SB 1 had already taken effect, correct?

18 A. Correct.

19 Q. And you are still offering compensation to
20 canvassing members; is that correct?

21 A. Yes.

22 Q. And so that has not changed, correct?

23 A. Well, a canvasser isn't somebody who's
24 providing assistance at a poll site.

25 Q. Okay. So you view this as being separate?

1 A. Correct.

2 Q. Okay. And has your canvassing team generally
3 been the same over the last few years?

4 Obviously, the pandemic might have thrown a
5 wrench in that.

6 A. About a quarter to a third are repeat people
7 from 2019/2020.

8 Q. Okay.

9 A. To now.

10 Q. And so you haven't seen any discouragement out
11 of the -- outside the normal retention rates?

12 A. Discouragement in -- in relation to what?

13 Q. Just in general. Like you -- any people who
14 have left have left because of general attrition as
15 opposed to anything specific that you can recall?

16 A. Yes. I would say, though, that 2020 and 2021,
17 you had a -- the added stress related to COVID that
18 impacted your normal attrition rates for --

19 Q. Okay.

20 A. -- people doing this type of work.

21 Q. So what forms of conversation have you

22 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232
210-697-3400 refrained from doing as a result of SB 1? 210-697-3408

23 MR. DOLLING: Just objection; calls for a
24 legal conclusion.

25 You can answer.

1 A. Off the top of my head, we did not recruit
2 to -- to pay anyone to be an assister or translator at
3 any poll site.

4 Q. (BY MS. HUNKER) Okay.

5 A. We just said we're not going to do that because
6 that would somehow make them into a criminal,
7 potentially.

8 We weren't even sure whether or not if we
9 just provide, you know, food and, you know, water, which
10 was something --

11 (Telephone interruption.)

12 A. -- that we normally do for anyone who comes to
13 volunteer with OCA-Greater Houston.

14 We provide, you know, drinks, bottled
15 water, Gatorade, sodas, a variety of snack food. It can
16 be a long, boring day standing at a poll site.

17 Q. Uh-huh.

18 A. We usually have lots of variety of candy.
19 Lately, we've had more healthy, like nuts and stuff.
20 And that -- that's -- that's all money. So we -- we
21 basically did not do a callout for -- for volunteers.

22 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232
210-697-3400 We did not do a callout to our community partners to see
23 if they could bring staff to do this, especially after I
24 got the e-mail from Hyunja where they were pretty much
25 freaked out about, like, what they could or could not do

1 under SB 1.

2 Q. (BY MS. HUNKER) So when you were making the
3 determination of what you could or could not do.

4 A. Yeah.

5 Q. Did you consult anyone like the election
6 administrator of Harris County?

7 A. We did not.

8 Q. And you did not contact the secretary of state,
9 correct?

10 A. We did not.

11 Q. And you did not contact the DA of Harris County
12 or the DA's office, correct?

13 A. Correct.

14 Q. And can you think of a member off the top of
15 your head while you're sitting here who was injured by
16 Section 6.06?

17 MR. DOLLING: Objection; calls for a legal
18 conclusion.

19 You can answer.

20 A. I'm not aware of any member who is facing some
21 kind of criminal prosecution under this Section 6.06.

22 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232
210-697-3400 (BY MS. HUNKER) Okay. Then let's move to the 210-697-3408
23 final section that you are challenging which is 7.04.

24 A. Just to clarify, are we looking at just
25 strictly 276.015 or all the way through 276.019?

1 It's all the way through -19.

2 Q. Yeah, this one's unfortunately a long section.

3 But...

4 A. Just making sure.

5 Q. Yeah. I guess -- let's start, I guess, with
6 Section 20 -- 276.015.

7 A. Okay.

8 Q. Since 276.016 seems to be directed towards a
9 public official, and that is not what OCA-Greater
10 Houston is.

11 A. Yeah.

12 Q. So, yeah, let's focus on that first part. Good
13 question.

14 A. Okay.

15 Q. 276.015.

16 And if you can just let me know when you're
17 done.

18 A. Yes.

19 Q. All right. So this section is in regards to
20 vote harvesting. And talks about a benefit being (As
21 read): "Anything reasonably regarded as a gain or

22 advantage, including a promise or offer of employment,
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23 or political favor, or an official act of discretion,
24 whether to a person or another party whose welfare of an
25 interest to the person."

1 It also says "A person commits an offense
2 if the person, directly or through a third party,
3 knowingly provides or" -- "or offers to provide vote
4 harvesting services in exchange for compensation or
5 other benefits."

6 Is that an accurate summation so far of the
7 section?

8 A. Yes.

9 Q. And then it says "A person commits an offense
10 if a person, directly or through a third party,
11 knowingly provides or offers to provide compensation or
12 other benefit to another person in exchange for vote
13 harvesting services."

14 Is that a accurate summation of that
15 provision?

16 A. Yes.

17 Q. Okay. And then it says an -- "An offense under
18 this section is a felony of the third degree. If
19 conduct that constitutes an offense under this section
20 also constitutes an offense under any other law, the
21 actor may be prosecuted under this section, the other

22 ~~law or both.~~ Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232
210-697-3400 210-697-3408

23 Is that an accurate summation of the
24 remainder portion of the subsection?

25 A. Yes.

1 Q. Does this subsection or section directly
2 regulate S- -- OCA-Greater Houston?

3 MR. DOLLING: Objection; calls for a legal
4 conclusion.

5 You can answer.

6 A. It directly impacts the work that we do.

7 Q. (BY MS. HUNKER) Okay. Can you give me a short
8 summation of how?

9 A. It makes it potentially more difficult for us
10 to do our education and assistance work. It makes our
11 activities that we can do potentially have to be
12 curtailed, example being our candidate forum. It
13 required us to be much more careful about how we're
14 doing canvassing or, frankly, doing any, you know,
15 assistance type of events.

16 We haven't done -- we -- we basically just
17 decided we're not even going to attempt to do community
18 information sessions where people could come and, you
19 know, potentially get assistance. Normally, we might
20 have, you know, contacted the Harris County elections
21 office to come and do a demonstration of the machines,

22 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232
210-697-3400 especially with the new machines. That would have been 210-697-3408

23 a prime opportunity, frankly, to get people to come out.
24 But it also meant that people might come with questions
25 with their mail-in ballots. And so we just said, okay,

1 we're -- we're not going to run that risk at all.

2 Q. So what is the basis for your belief that
3 you're exchanging a compensation or benefit to another
4 person in exchange --

5 MR. DOLLING: Objection; calls --

6 Q. (BY MS. HUNKER) -- for these --

7 MR. DOLLING: I'm sorry.

8 Q. (BY MS. HUNKER) -- activities?

9 MR. DOLLING: Objection.

10 A. I'm sorry. Could you repeat that?

11 Q. (BY MS. HUNKER) Yes.

12 What is your basis for deciding that you
13 are offering a benefit or compensation to another person
14 in exchange for the activities that you were just
15 describing?

16 MR. DOLLING: Objection; calls for a legal
17 conclusion.

18 You can answer.

19 THE WITNESS: Okay.

20 A. Just common sense that, you know, everything
21 has some kind of economic value. So, you know, if we're
22 providing, you know, refreshments or snacks or meals,
23 right? Sometimes for community events, we have catered
24 in, like, you know, box lunches or, you know, meal boxes
25 or trays of food. That all has a -- some kind of

1 economic benefit -- or rather it has an economic value.
2 So I am just not sure if that would qualify because an
3 economic benefit to me means there's some kind of value
4 or we are receiving something of some kind of value.

5 Q. (BY MS. HUNKER) And again, your understanding
6 of this is based on your reading of the text as opposed
7 to any type of investigation that you conducted,
8 correct?

9 A. Correct.

10 Q. And so you did not consult with the DA of
11 Harris County, correct?

12 A. Correct.

13 Q. Or the election administrator of Harris County,
14 correct?

15 A. Correct.

16 Q. Or the secretary of state's office, correct?

17 A. Correct.

18 Q. Or any other state agency?

19 A. Yeah. I did not reach out to -- to speak with
20 anybody.

21 Q. And what is the specific harm that your members
22 suffer as a result of this provision?

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23 MR. DOLLING: Objection; calls for a legal
24 conclusion.

25 You can answer.

1 A. The most immediate harm for our members and,
2 you know, any community member is the lack of ability
3 for them to actually get assistance, right, to have a --
4 a place that -- or -- or a group in the community that
5 is known for being able to provide information and not
6 having that opportunity to come and -- and get
7 information, you know, and to meet with people who can
8 speak their own language or their own dialect.

9 Q. (BY MS. HUNKER) So in this case, are you
10 describing the harm as being associational as opposed to
11 being a limitation on voting?

12 MR. DOLLING: Objection; calls --

13 A. I'm sorry. I don't understand that.

14 What -- what does that mean,
15 "associational"?

16 Q. (BY MS. HUNKER) In having to do with how you
17 interact with people, how you express yourself as
18 opposed to, let's say, voting.

19 MR. DOLLING: Objection; calls for legal
20 conclusion.

21 You can answer.

22 A. I'm sorry. Could you repeat the question?

23 Q. (BY MS. HUNKER) Yes. I'm trying to understand
24 how you would characterize your harm based on the
25 summary you gave me.

1 And I'm trying to figure out is it
2 something to do with associational, like your ability to
3 associate with people, members, if they have to
4 associate with each other; or are you concerned that it
5 restricts their ability to vote?

6 MR. DOLLING: Objection; calls for legal
7 conclusion.

8 You can answer.

9 A. My concern is, I guess, multiple.

10 One is our ability to -- to do our -- our
11 job, to accomplish our mission to educate and assist
12 people, to encourage them to actually go and vote.

13 My other concern is for members and
14 community members who may need assistance and who are
15 not able to -- to get that assistance because we're
16 constrained by this law.

17 And then, third, you know, I'm concerned
18 about potential and -- and loss of volunteers. It's
19 very difficult to get people to come out and volunteer
20 to do civic engagement type of work. It's not sexy.
21 It's not fun. Really, it's not fun for young people.
22 So you have the loss of those opportunities to engage
23 with people for them to actually come and -- and -- and
24 do something and -- and do some kind of community
25 service.

1 Then they'll find something else
2 potentially to fill that time which means a loss to us
3 of somebody who could have been developed into --
4 essentially into our pipeline of volunteerism around
5 civic engagement work whereas, because they don't have
6 the opportunity to do this with us, you know, they'll go
7 and do their community service hours somewhere else.
8 And then, potentially, you know, we lose that
9 opportunity to have that relationship.

10 Q. (BY MS. HUNKER) And you even mentioned earlier
11 in the deposition that you chose not to recruit
12 volunteers, correct?

13 A. Yes.

14 Q. And so you don't have any experience of
15 individuals choosing not to volunteer so much as you
16 declined to solicit volunteers; is that accurate?

17 A. Correct.

18 Q. And as with the other provisions, you did not
19 segregate the harm, determining how much harm was the
20 result of one provision as opposed to the other,
21 correct?

22 A. Correct.

23 Q. And sitting here before me, you don't know of a
24 single voter and/or member who is unable to vote as a
25 result of Section 7.04; is that correct?

1 weren't filled out properly or they were missing
2 information.

3 Q. And that missing information was the
4 information that was required under SB 1, to your
5 knowledge?

6 A. Correct.

7 MS. HUNKER: Objection; speculation.

8 Q. (BY MR. DOLLING) Okay. I'd like to just go
9 back to a couple of things we were talking about earlier
10 in the deposition just to clarify.

11 So, earlier, you were talking to counsel
12 for the State about how you would -- currently are
13 directing people to Harris County's elections website or
14 other government materials rather than handing out the
15 information yourselves in physical form like flyers.

16 Do you remember that?

17 A. Yes.

18 Q. And why did you make -- why are you making that
19 distinction between flyers versus sending people to the
20 website?

21 A. Because it removes us from being in an
22 in-person situation where we're physically there,
23 distributing information or giving information or
24 opening the opportunity for questions that would put us,
25 our staff, or volunteers at risk of somehow -- some kind

1 of criminal violation versus if we just say go -- go
2 look at the -- go online. Here is the website. Go look
3 at it. And one would hope that, if there are new
4 policies or new changes, that, you know, the government
5 website will update that and have the most, you know,
6 current information available.

7 We -- we basically don't want to put
8 ourselves and our volunteers in a position where
9 somebody has, you know, criminal liability, potentially.

10 Q. Okay. Sort of in that same vein, earlier, you
11 were talking with counsel for the State about sort of
12 where your fear of prosecution under the various
13 provisions of SB 1 came from.

14 Do you remember that?

15 A. Yes.

16 Q. When we were going through each provision one
17 by one.

18 A. Yes.

19 Q. And the question that was often asked was did
20 your understanding of that come from a plain reading of
21 the statute, or had you done a full investigation?

22 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232
210-697-3400 Do you remember that? 210-697-3408

23 A. I remember that -- that line of questioning.

24 It -- it's a combination of just the plain
25 reading of the statute and just the general environment

COUNTY OF HARRIS)

STATE OF TEXAS)

REPORTER'S CERTIFICATION

I, Donna Qualls, Notary Public in and for the State of Texas, hereby certify that this transcript is a true record of the testimony given and that the witness was duly sworn by the notary.

I further certify that I am neither attorney nor counsel for, related to, nor employed by any of the parties to the action in which this testimony was taken.

Further, I am not a relative or employee of any attorney of record in this cause, nor do I have a financial interest in the action.

Subscribed and sworn to on this the 11th day of April, 2022.



DONNA QUALLS
Notary Public in and for
The State of Texas

Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232
210-697-3400 My Commission expires 11/02/2022 210-697-3408

Magna Legal Services
Firm Registration No. 633
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Exhibit 10

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LA UNIÓN DEL PUEBLO ENTERO, et al.,
Plaintiffs,
v.

5:21-cv-844-XR

GREGORY W. ABBOTT, et al.,
Defendants.

OCA-GREATER HOUSTON, et al.,
Plaintiffs,
v.

1:21-cv-0780-XR

JANE NELSON, et al.,
Defendants.

SUPPLEMENTAL DECLARATION OF DEBORAH CHEN

My name is Deborah Chen. I am over the age of 18 and capable of making this declaration.

The facts stated herein are within my personal knowledge.

1. I am a lawyer and the Civic Engagement Programs Director for OCA-Greater Houston (OCA-GH). OCA-GH is the Greater Houston arm of the national organization OCA – Asian Pacific American Advocates. I am also the Executive Vice President of OCA – Asian Pacific American Advocates.
2. I previously submitted a declaration in this case. *See* ECF No. 611-1, Ex. 38. The facts in my first declaration remain true and this second declaration is intended only to supplement the first, which is incorporated by reference here. Some of the facts set out in the first declaration are repeated here for ease of reading.

3. As an organization dedicated to serving the Asian American and Pacific Islander (“AAPI”) community, a substantial portion of which is elderly and/or has limited English proficiency (“LEP”), OCA-GH was acutely aware of the debates around and eventual passage of SB 1, including SB 1 Section 6.06’s broadening of the criminal prohibition on compensation for mail-in voting assistance (Texas Election Code § 86.0105) and SB 1 Section 7.04’s criminal prohibition on compensation for “vote harvesting” (Texas Election Code § 276.015).
4. Before SB 1’s passage, OCA-GH would routinely send out information to Chinese language newspapers to inform the public about its election-related community events, as well as encourage Chinese language newspapers to write articles about those events. OCA-GH would also have Chinese-language translations of voter information— how to find out where to go vote, or to complete a mail-in ballot— at candidate forums and other places frequented by the Chinese-speaking and immigrant community, such as the Chinatown post office or the Shabu House restaurant, as well as in public locations. OCA-GH is well-known in the Greater Houston AAPI community for its Get Out the Vote efforts, its election-related community events, and its historical practice of providing voter assistance, particularly to elderly and LEP voters.
5. For example, before SB 1’s passage, OCA-GH arranged and publicized in-person candidate forums at several locations frequented by the AAPI community, like the Chinese Community Center and the library. Attendance at these forums varied from approximately 100 to 400 or more people. OCA-GH would set up a table at these candidate forums and provide voting assistance to any OCA-GH member or

community member seeking assistance for any reason, including due to a language barrier (typically Chinese speakers), to low vision, to being unfamiliar with the voting process as a first-time AAPI voter. This included helping voters complete their applications for a ballot by mail (ABBM), mail ballots, and registration forms, as well as explaining the election process and what was on the ballot.

6. Before SB 1's passage, OCA-GH routinely hosted non-partisan "meet and greets" to create a space for the AAPI community to interact with AAPI candidates for political office, whom OCA-GH invited from all sides of the political spectrum. OCA-GH provided catered dinners at these events, which were typically attended by approximately 250 to 300 people. OCA-GH would set up tables during these events to interact with voters and to provide assistance to any voter who sought it, including mail-in voting assistance to those who brought their ABBMs or mail-in ballots, which occurred regularly.
7. Before SB 1's passage, OCA-GH maintained a presence at the Tracy Gee Community Center, and at early voting centers, to provide mail-in voting assistance to AAPI seniors—frequently LEP or low vision voters—who sought out OCA-GH's help. OCA-GH would also provide transportation services for seniors who needed help getting to the polling site to vote in person.
8. Before SB 1's passage, OCA-GH routinely held in-person mail-in voting training sessions at which it would explain how to obtain an ABBM and vote by mail to OCA-GH members and community members.
9. Before SB 1's passage, OCA-GH routinely conducted voting machine demonstrations and trainings at which it would provide the same sorts of assistance

described above with ABBMs and mail-in ballots to any OCA-GH member or community member who brought their materials to the demonstration.

10. Before SB 1's passage, OCA-GH routinely set up exit polling tables and conducted exit polling surveys at polling locations around Houston. While doing so OCA-GH would provide mail-in voting assistance to any voter who requested it.
11. Before SB 1's passage, OCA-GH routinely conducted door knocking, canvassing, and other field campaigns. During these activities OCA-GH members regularly provided ABBM or mail-in ballot assistance to any voter who requested it. For example, many of these voters had already obtained their ABBMs or mail-in ballots and would bring those materials to the door to receive on-the-spot assistance.
12. The voters who sought assistance with their ABBMs or mail-in ballots during the above-listed activities were frequently limited English proficiency ("LEP") voters, elderly voters, or low-vision voters, or some combination of the three.
13. During all of these activities OCA-GH would also seek to substantively engage with voters to raise awareness of issues of importance to the AAPI community, such as participating in the census, and would provide a translated League of Women Voters of Texas voter guide, or a link to the online translation of that guide, which contained information about measures on the ballot and explained candidate positions, with the goal of encouraging the AAPI community to go vote.¹ If a ballot measure was particularly impactful to the AAPI community, OCA-GH would seek to educate voters about it and to advocate for or against it.

¹ OCA-GH has not and does not endorse particular candidates.

14. In Harris (but not Ford Bend) County some voting materials are translated into Chinese and Vietnamese. However, LEP voters still often need an extra hand to get through the whole process, either with their ABBMs and mail-in ballots, with registration and voting procedures, or if voting in person, with navigating the polling place or the voting machines. Sometimes they have bad eyesight and need someone to read everything out loud, or need help with the mail-in voting materials or in-person process because their Chinese first and last names are in “reverse order” compared to in English, which can create confusing interactions with poll workers. OCA-GH therefore provided these LEP voters with help in these various processes, and in communications with non-Chinese speaking poll workers even when the mail-in or in-person materials were in the voters’ native language, or when there may not be an adequate number of available or trained Chinese speaking poll workers, or if they spoke a different dialect than the voter.
15. Additionally, in Harris County, there are many Korean-speaking voters, but no Korean ballots or Korean-speaking voter assistance made available by the county. Before SB 1’s passage, OCA-GH coordinated with other AAPI groups to help provide Korean-speaking voters with Korean language assistance.
16. Before SB 1’s passage, OCA-GH paid its staff and members competitive wages for their work during these in-person candidate forums, voting machine demonstrations, door knocking and field campaigns, exit polling, and other activities, as well as provided staff and members with bottled water, sports drinks, snacks, and other forms of refreshment in exchange for their services. OCA-GH also provided food and refreshments to *all* attendees at its election-related

community events, to encourage staff, member, and other attendee participation; to make things easier on attendees who might be pressed for time; to show appreciation for the community; and because providing food and refreshment is a common cultural courtesy.

17. Following SB 1's passage, OCA-GH has not stopped paying staff and members, or providing food and drinks to staff, members, and the public. Instead, as set out below, it has ceased providing mail-in voting assistance, as well as severely scaled back the scope of its communications during activities at which mail-in ballots may be present, due to the fear of criminal prosecution pursuant to SB 1 Sections 6.06 and 7.04. OCA-GH fears that by paying its staff and members, or by supplying them with food or drinks, for providing mail-in voting assistance or engaging in OCA-GH's other election-related activities, it or its members will be placed at risk of prosecution under SB 1.
18. OCA-GH does not want to expose its members to potential prosecution for engaging in OCA-GH election-related activities, nor does it have the resources to legally defend a member put in that position. This is of particular concern to OCA-GH because many of its canvassers and door knockers are young college students, and OCA-GH's mission is to grow new leaders in the community, not place them at risk of a criminal prosecution that will follow them for the rest of their lives.
19. For example, OCA-GH did not hold any in-person candidate forums ahead of the March 2022 primary due to a fear that community members would, as they had in the past, bring their ABBMs or mail ballots to the event seeking assistance, potentially causing OCA-GH or its members to run afoul of both SB 1 Sections

6.06 and 7.04—even though one of its own AAPI members was running for local office. And while OCA-GH did co-host an in-person candidate forum ahead of the November 2022 election, it limited its role strictly to promoting the forum, and did not set up a table to provide assistance with mail-in voting or otherwise engage with the community, despite its historical practice of doing so.

20. OCA-GH has also not held an AAPI candidate “meet and greet” since passage of SB 1, in large part due to the same fears; community members have brought their mail-in ballots to these events in the past, and OCA-GH is unsure whether hosting an event for AAPI candidates which does not feature any non-AAPI competitors could constitute an action “intended to deliver voters for a specific candidate or measure” in violation of SB 1 Section 7.04.

21. OCA-GH has also ceased conducting in-person trainings on how to use voting machines, as well as in-person trainings on the vote by mail process, again due to fears that community members would, as they have in the past, bring their ABBMs or mail ballots to the trainings seeking assistance, and that OCA-GH or its members would be accused of attempting to influence a vote by providing materials explaining candidate positions and ballot measures, or of receiving compensation for providing assistance. OCA-GH similarly no longer provides voters with assistance with their ABBMs or mail-in ballots at the Tracy Gee Community Center, early voting centers, or during its exit survey activities, due to the same fears.

22. OCA-GH has also modified how it carries out its field campaigns to reduce the chance that communications during canvassing or door knocking can be construed

as “vote harvesting,” given that voters answering the door may have their mail-in ballot within the “physical presence” of the interaction. OCA-GH has instructed its canvassers not to engage substantively with voters by discussing issues of importance to the AAPI community or providing materials explaining candidate positions and ballots measures, but instead merely hand out voter awareness flyers.² OCA-GH has also instructed its members not to provide any voter assistance when carrying out these activities. Thus, when asked questions about the voting process, or for assistance with an ABBM or mail-in ballot—all common occurrences—OCA-GH canvassers merely instruct voters to go to the county’s website, rather than providing the sort of spontaneous assistance they would have previously.

23. Following SB 1, OCA-GH has faced significant uncertainty about whether it can advocate for or against issues that impact the AAPI community during activities at which mail ballots might be present. For example, OCA-GH took a stance against SB 147—which passed the Senate, but not the House, and would have banned all property ownership by Chinese citizens in Texas—during the last legislative session. While SB 147 did not arise as an issue until after the 2022 election season, OCA-GH anticipates that some form of the bill may return in the future, whether in a special session or during the next regular session. In that event, OCA-GH would want to educate and mobilize the AAPI community against any such bill during its election-related activities. As of now, however, OCA-GH remains unsure whether it will engage in such advocacy given that community

² See Attachment A (voter awareness flyers distributed by OCA-GH during its 2022 canvassing efforts).

members might happen to bring their mail ballots to any such activities. As a result, OCA-GH has not yet decided whether it can safely engage in such advocacy.

24. This sort of SB 1-risk assessment must be carried out with respect to each of OCA-GH's programs and it constitutes a substantial drain on OCA-GH's resources. Upper-level staff have been required to analyze SB 1's impact on each OCA-GH program, decide which community events to cancel, modify field campaign scripts to ensure members do not say anything that could violate SB 1, and train canvassers and door knockers to follow those instructions—to *not* provide mail-in voting assistance despite OCA-GH's historical practice of doing so. The same is true of preparing materials for field bags; it is a process that must be repeated each time a program is assessed, to determine what will fit on the paper and accomplish OCA-GH's mission as best as possible while not violating SB 1. This forces OCA-GH to spend less time on its normal programming efforts and will continue to require substantial staff time whenever a new program or activity must be assessed for risk.
25. As a result of SB 1, OCA-GH has been demonstrably unable to provide the LEP voters whom it has historically assisted—its own members, members of the AAPI community, or members of the community more broadly—with any sort of mail-in voting assistance. For example, OCA-GH has routinely provided mail-in voting assistance to Chinese-speaking LEP voters in the Sugar Land region of Fort Bend County and the Alief and Sharpstown regions of Harris County while canvassing, hosting candidate forums, and operating exit surveys. In 2022, however, OCA-GH did not provide any of these voters whom it had previously assisted—or any voters at all—with any kind of mail-in voting assistance.


26. Additionally, pre-COVID, OCA-GH used to go to the senior center retirement home next to the Sharpstown Mall to serve lunch to LEP and non-LEP Asian seniors, as well as non-Asian seniors, twice a year around Lunar New Year/Martin Luther King Day and in the fall around Labor Day. During these times, particularly during the fall, OCA-GH would assist these seniors with mail-in voting. OCA-GH initially ceased carrying out this practice due to COVID restrictions but would likely have returned to it after those restrictions were lifted if not for SB 1. OCA-GH is now weighing whether, given its limited resources, it should return to that practice as part of its community outreach. If it does, it has already decided it will not provide mail-in voting assistance due to SB 1.

27. OCA-GH's mission is frustrated by the way it has been forced to divert its resources and to curtail its activities due to SB 1 Sections 6.06 and 7.04. OCA-GH previously focused its resources on repeated, in-depth, in-person voter interactions and assistance at events in community centers and other places where community members would frequent, as well as on in-depth interactions and assistance during canvassing and door knocking campaigns, which was often followed up by contact at one of those community events. This sort of repeated one-on-one contact had a high success rate in motivating people to go vote. Due to SB 1, however, OCA-GH has been forced to pivot its time, energy, and resources away from its prior focus on in-depth voter outreach interactions to instead attempting to generate as many surface-level interactions (*i.e.*, which do not run afoul of SB 1) as possible, which do not have as great an impact as before. This ensures that repeated in-depth contact with potential voters does not occur. OCA-GH's forced inability to provide mail-

in voter assistance and voter information is contrary to its mission to encourage voter participation.

28. OCA-GH desires to provide mail-in voter assistance and to engage with the community in the ways it did prior to SB 1's passage. However, so long as SB 1 Sections 6.06 and 7.04 remain in effect, it is afraid to do so.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on June 22, 2023.

A handwritten signature in dark ink, appearing to be 'Deborah Chen', written over a horizontal line.

Deborah Chen

Attachment A

Upcoming Events



5/1 - 6/19



6/2-19

OCAHOUSTON.ORG



VIRTUAL CITIZENSHIP FORUMS

Are you a green card holder who would like FREE assistance preparing your citizenship application (N-400)? Drop in via Zoom on the **1st Saturday** of every month to have us look over your application!

Link to Join:
tinyurl.com/citzOCAGH

PROTECT YOURSELF! GET YOUR CITIZENSHIP!

FREE | SECURE | ACCURATE | EASY



SAVE &
COME
BACK



ONLINE
LEGAL
HELP



CONNECT
WITH
EXPERTS

DON'T WAIT. GO ONLINE TODAY @
citizenshipworks.org/portal/houston



Upcoming Events



5/1 - 6/19



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CONNECT
WITH
EXPERTS

DON'T WAIT. GO ONLINE TODAY @
citizenshipworks.org/portal/houston



OCA-RESPONSE-APPX-100

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000170

2022 PRIMARY ELECTION

VOTE in this primary election to ensure the **AAPI voice** is heard on issues & concerns affecting our community.

✓ State Offices ✓ Local Offices
✓ Judicial Districts

VOTING INFORMATION

Find your sample ballot, polling locations & times
Harris County - HarrisVotes.com

KEY DATES

**EARLY
VOTING**

February 14–19: 7 a.m. – 7 p.m.
February 20: 12 p.m. – 7 p.m.
February 21: No Voting
February 22–23: 7 a.m. – 7 p.m.
February 24: 7 a.m. – 10 p.m.
February 25: 7 a.m. – 7 p.m.

**LAST DAY TO
APPLY TO VOTE
BY MAIL**

FEBRUARY 18

Applications must be delivered to:
1001 Preston Street, 4th floor office,
Houston, TX 77002
INFO: (713) 755-6965

**ELECTION
DAY**

MARCH 1

7 a.m. – 7 p.m.

*also deadline for mail-in ballots



Partner Organizations:
One APIA Texas
ACDC Texas

2022 PRIMARY ELECTION

VOTE in this primary election to ensure the **Asian American voice** is heard on issues & concerns affecting our community.

✓ State Offices ✓ Local Offices
✓ Judicial Districts

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DAY**

MARCH 1

7 a.m. – 7 p.m.

*also deadline for mail-in ballots



Partner Organizations:
One APIA Texas
ACDC Texas

OCA-RESPONSE-APPX-101

OCAGH_00000072

000171

ELECTION DAY TUESDAY, NOVEMBER 8TH

OCAHOUSTON.ORG/VOTE

BUMOTO NG MAAGA

MAAGANG PAGBOTO: OKTUBRE 24 HANGGANG
NOBYEMBRE 4

Bisitihan mo ang website "My Voter Portal" para malaman mo kung
saan pwedeng magboto ng maaga: teamrv-
mvp.sos.texas.gov/MVP/mvp.do

IPLANO MO ANG IYONG PAGBOTO

Para bumoto sa pamaraan ng koreo, kailangan mo munang magpahihisto sa pamaraan ng koreo. Ang iyong aplikasyon ay dapat MATANGGAP (hindi lang nalagyan ng tatak-selyo) ng rehistro ng munisipyo (tawag ay "county registrar" sa Amerika) bago ng ika-8 ng Nobyembre, 2022 (ang araw ng eleksyon).

VOTE EARLY

EARLY VOTING: Oct 24 to Nov 4

Check your "My Voter Page" for early voting locations:
teamrv-mvp.sos.texas.gov/MVP/mvp.do

PLAN AHEAD

To vote by mail, you must apply for a ballot by mail in advance. Your application must be RECEIVED (not Postmarked) by your county registrar by November 8, 2022.

YOU ARE ELIGIBLE TO VOTE BY MAIL IN TEXAS IF:

- YOU ARE AGE 65 OR OLDER BY ELECTION DAY
- YOU WILL BE OUTSIDE OF HARRIS COUNTY FOR ALL OF THE EARLY VOTING PERIOD AND ON ELECTION DAY
- YOU ARE CONFINED IN JAIL BUT OTHERWISE ELIGIBLE TO VOTE
- YOU HAVE A DISABILITY, WHICH INCLUDES PREGNANCY OR SICKNESS (OR A CONDITION SUCH THAT YOU RISK HARM IF YOU VOTE IN PERSON: COVID-19 CAN BE A FACTOR.)

- Bring your ID to vote (TX Driver's License, TX Personal ID, US Passport, US Citizenship Certificate with Photo, US Military ID with photo, TX Handgun License, TX Election ID Certificate).
- There is NO STRAIGHT-PARTY VOTING in Texas. You must mark your choice on your ballot separately for each race.
- Be sure to scroll through the entire ballot to see all your choices.

提早投票

提前投票期: 10月24日至11月4日

在「我的選民專頁」查看提早投票地點:
teamrv-mvp.sos.texas.gov/MVP/mvp.do

提前計劃

要郵寄投票, 您必須提前申請郵寄投票。您的縣註冊官必須在 2022 年 11 月 8 日之前收到您的申請 (未加蓋郵戳)。

在下列情況下, 您符合在德薩斯州以郵寄方式投票的資格:

- 您在投票日已屆 65 歲或以上
- 您在整個提早投票期和選舉日都不會在自己的縣里
- 您在監獄服刑但符合投票資格
- 您行動不便, 這包括懷孕或疾病 (或親身投票有受傷害的風險; COVID-19 可能是一個因素。)

- 攜帶身分證文件去投票 (德薩斯州駕駛執照、德薩斯州個人身分證、美國護照、有照片的美國居民身分證、有照片的美國軍人身分證、德薩斯州手槍執照、德薩斯州選民身分證)。
- 德薩斯州不設直線政黨投票。您必須為每個類別在選票上分別標示您的選擇。
- 請務必滾動瀏覽整張選票, 以查看您的所有選擇。

提早投票

提前投票期: 10月24日至 11月4日

在「我的選民專頁」查看提早投票地點:
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- 攜帶身分證文件去投票 (德州駕駛執照、德州個人身分證、美國護照、有照片的美國居民身分證、有照片的美國軍人身分證、德州手槍執照、德州選民身分證)。
- 德州不設直線政黨投票。您必須為每個類別在選票上分別標示您的選擇。
- 請務必滾動瀏覽整張選票, 以查看您的所有選擇。

PUWEDE KANG MAGBOTO SA PAMARAAN NG KOREO SA TEXAS KUNG:

- IKAW AY MAN LAMANG 65 NA TAON SAW ARAW NG ELEKSYON
- IKAW AY WALA SA HARRIS COUNTY HABANG NANG: (1) PANAHON NANG PUWEDENG MAGBOTO NG MAAGA, AT (2) ARAW NG ELEKSYON
- IKAW AY NAKAKULONG, PERO MAY KARAPATAN KA PANG MAGBOTO
- IKAW AY MAY KAPANSANAN, IKAW AY BUNTIS, O IKAW AY MAY KUNDISYON NA PUWEDENG LUMALA KAPAG MAGBOTO KA SA PERSONAL (KATULAD NG COVID-19).

Tandaan Mo!

- Magdala ng identipikasyon, katulad ng: lisensya sa pagmamaneho sa TX, identipikasyong personal sa TX, paraporteng Amerikano, sertipiko ng pagkaramaman sa Amerika, at ritrato mo, identipikasyong pansundalo sa Amerika at ritrato mo, lisensya ng barli sa TX, katibayan ng identipikasyon ng eleksyon sa TX
- Sa Texas, hindi mo kailangang magboto sa isang partidong pampulitika lang. Kailangan mong markahan ang isat-isang pampulitikong labanan
- Siguraduhin na nasuri ang lahat ng pinili sa buong balota

BỎ PHIẾU SỚM

BẦU CỬ SỚM: 24/10 đến 4/11

Xem trang "My Voter Page" (Trang chủ của tôi) để
biết các địa điểm bỏ phiếu sớm:
teamrv-mvp.sos.texas.gov/MVP/mvp.do

LÊN KẾ HOẠCH TRƯỚC

Để bỏ phiếu bằng thư, bạn phải điền đơn yêu cầu trước để xin lá phiếu gửi qua thư. Đơn yêu cầu phải được NHẬN (không phải ngày đóng dấu bưu điện) bởi văn phòng đăng ký quận trước ngày 8 tháng 11, 2022.

BẠN ĐỦ ĐIỀU KIỆN ĐỂ BỎ PHIẾU QUA ĐƯỜNG BƯU ĐIỆN TẠI TEXAS NẾU:

- BẠN TỪ 65 TUỔI TRỞ LÊN TRƯỚC NGÀY BẦU CỬ
- BẠN SẼ Ở BÊN NGOÀI QUẬN HARRIS TRONG SUỐT THỜI GIАН BỎ PHIẾU SỚM VÀ VÀO NGÀY BẦU CỬ
- BẠN BỊ GIAM TRỌNG TÙ NHƯNG ĐỦ ĐIỀU KIỆN BỎ PHIẾU
- BẠN BỊ KHUYẾT TẬT, BẠO CỐM MANG THAI HOẶC ỒM ĐÁU (HOẶC HOẶC MỘT TÍNH TRẠNG SỨC KHỎE KHIẾN BẠN CẤP PHẢI RỜI RỒI NẾU TRỰC TIẾP ĐI BỎ PHIẾU; COVID-19 CÓ THỂ LÀ MỘT YẾU TỐ RỦI RO.)

- Mang theo giấy tờ tùy thân của bạn để bỏ phiếu (Giấy phép lái xe TX, ID Cá nhân TX, Hộ chiếu Hoa Kỳ, Giấy chứng nhận Quốc tịch Hoa Kỳ có ảnh, Căn cước quân sự Hoa Kỳ có ảnh, Giấy phép Súng ngắn TX, Giấy chứng nhận ID Bầu cử TX).
- KHÔNG CÓ BỎ PHIẾU STRAIGHT-PARTY (Cơ chế cho phép cử tri bỏ một lá phiếu để lựa chọn tất cả các ứng cử viên của một chính đảng trên lá phiếu đó) ở Texas. Bạn phải đánh dấu từng lựa chọn của mình trên lá phiếu cho mỗi cuộc đua.
- Hãy nhớ xem qua toàn bộ lá phiếu để xem tất cả các lựa chọn của bạn.

일찍 투표하세요

조기 투표: 10월 24일 - 11월 4일

사전 투표 장소는 "내 유권자 페이지"를 확인하십시오.
teamrv-mvp.sos.texas.gov/MVP/mvp.do
teamrv-mvp.sos.texas.gov/MVP/mvp.do

미리 계획을 세우세요

우편 투표를 하려면 사전에 우편 투표를 신청해야 합니다. 신청서는 2022년 11월 8일(계승되지 않음)까지 카운티 등록관에 접수되어야 합니다.

다음의 경우 텍사스 주에서 우편으로 투표할 자격이 있습니다.

- 선거일 기준 65세 이상
- 조기 투표 기간과 선거일 모두 해당 카운티에 소재하지 않는 경우
- 감옥에 갇혀 있지만 투표 자격이 있음
- 임신이나 질병을 포함하여 몸이 불편한 상태 (또는 직접 투표할 경우 건강에 위험이 있을 수 있는 상태, COVID-19도 요인이 될 수 있음)

- 투표하려면 신분증(텍사스 운전면허, 텍사스 신분증, 미국 여권, 사진이 있는 미국 시민권 증명서, 사진이 있는 미국 신분증, 텍사스 휴대 전화 면허, 텍사스 선거 신분증 증명서)을 가져오십시오. 텍사스는 정당 일괄 투표를 허용하지 않습니다. 투표 용지에 각 경합마다 선택 사항을 따로 표시해야 합니다. 전체 투표 용지를 살펴보고 모든 선택 사항을 보십시오.

OCA-RESPONSE-APPX-11

OCAGH_00017976

000172



OCA - Asian Pacific American Advocates

EMBRACING THE HOPES AND ASPIRATIONS OF ASIAN PACIFIC AMERICANS

AAPI ADVOCACY | EDUCATION | YOUTH LEADERSHIP | ECONOMIC EMPOWERMENT | ARTS & CULTURE

OCA-Greater Houston is a volunteer-driven organization of community advocates that strives to meet the current and evolving needs of the diverse Asian American Pacific Islander (AAPI) population through a comprehensive continuum of programs focusing on **advocacy, education, economic empowerment, developing leadership, civic engagement** participation and **arts & cultural awareness**.

SIGNATURE EVENTS



FUNDED IN PART BY
THE CITY OF HOUSTON
THROUGH
HOUSTON ARTS ALLIANCE



MAY 2023

AAPIrestaurantweeks.com



JUNE 2023

HAAPIFEST.com



OCTOBER 1, 2022

StarryNiteArtsFest.com



SIGNATURE PROGRAMS



FREE Youth leadership & advocacy program in partnership with Mi Familia Vota. High school youth are invited to participate in leadership building workshops every 2nd Saturday of the month.



FREE monthly assistance preparing N400 Citizenship applications for individuals with Greencards (Legal Permanent Residents). Start your application on CitizenshipWorks.org/portal/Houston



OCAHouston.org | /OCAHouston /OCAGreaterHouston

FOR ELECTION INFORMATION AND TO REGISTER TO VOTE VISIT OCAHOUSTON.ORG/Vote

OCA-RESPONSE-APPX-103

OCAGH_00017977

000173



2022 ELECTIONS

KEY DATES



OCTOBER 11

Call 713-274-8200 to be assisted in English, Spanish, Vietnamese, or Chinese.



OCT 24 - NOV 4

Find your sample ballot, polling locations & times at:
HarrisVotes.com



OCTOBER 28

Applications must be delivered to:
1001 Preston Street, 4th floor office,
Houston, TX 77002
INFO: (713) 755-6965



NOVEMBER 8

7 a.m. – 7 p.m.

*also deadline for mail-in ballots



OCA - Asian Pacific American Advocates
EMBRACING THE HOPES AND ASPIRATIONS OF ASIAN PACIFIC AMERICANS

Activate YOUR power.

ADVOCATES
In Action

Situational Awareness Workshops

In response to the increased rise of Anti-Asian/American, xenophobic harassment, and anti-hate towards marginalized communities of color, OCA is providing educational and awareness tools to combat these types of systemic oppression.

2022 WORKSHOP SCHEDULE

- Sept 20
- Oct 18
- Nov 15



4:00 p.m. - 5:30 p.m. PT | 5:00 p.m. - 6:30 p.m. MT
6:00 p.m. - 7:30 p.m. CT | 7:00 p.m. - 8:30 p.m. ET

Pre-registration is required for this 1.5 hour training via Zoom.

REGISTER at <http://bit.ly/ADVOCATESINATIONS2022>

More information at ocanational.org/saw



REGISTER TO VOTE!

IMPORTANT: ONLY US CITIZENS ARE ELIGIBLE TO FILL OUT THE VOTER REGISTRATION CARD INCLUDED IN THIS PACKAGE

重要提示: 只有美國公民才有資格填寫此包裹中包含的選民登記卡
중요: 미국 시민만 이 패키지에 포함된 유권자 등록 카드를 작성할 수 있습니다.
重要提示: 只有美國公民才有資格填寫此包裹中包含的選民登記卡

IMPORTANTE: SOLO LOS CIUDADANOS DE EE. UU. SON ELEGIBLES PARA COMPLETAR LA TARJETA DE REGISTRO DE VOTANTE INCLUIDA EN ESTE PAQUETE

QUAN TRỌNG: CHỈ CÁC CÔNG DÂN HOA KỲ ĐỦ ĐIỀU KIỆN ĐỂ ĐIỀN THẺ ĐĂNG KÝ VOTER BAO GỒM TRONG GÓI NÀY



DID YOU KNOW...

The American Community Survey (ACS) releases new data every year through a variety of data tables that you can access with different data tools. If you receive a letter from the U.S. Census Bureau requesting your response to the American Community Survey, please participate, it is a building block used to create statistics about communities in America.

<https://www.census.gov/programs-surveys/acs>



OCA - Asian Pacific American Advocates
EMBRACING THE HOPES AND ASPIRATIONS OF ASIAN PACIFIC AMERICANS

VIRTUAL CITIZENSHIP FORUMS

OCA-Greater Houston provides free assistance preparing N400 Citizenship applications for individuals with Greencards (Legal Permanent Residents) each month. If you have had your Greencard for 5 years (or 3 years if based on marriage to a US Citizen), you can apply for Citizenship.

Consultas de Inmigración Gratuitas: Ofrecemos a los residentes permanentes legales con casi toda la información que necesita para solicitar la Ciudadanía Estadounidense, incluyendo consultas particulares con especialistas en Inmigración y abogados. Si tiene alguna pregunta favor de comunicarse al teléfono: (281) 968-9134

免費移民服務: 我們為永久居民(綠卡持有者)提供一對一的免費移民服務。服務項目包括協助填寫美國公民申請表、格和向移民專家和律師提供法律諮詢。聯繫電話: Mandarin: (713) 446-8430

1st Saturday each month
(unless holiday weekend) | 9:30am—12noon

Register at <https://tinyurl.com/OCACitizenshipForums>

Information you need to start your application on Citizenship works

Fill out your draft application at
citizenshipworks.org/portal/houston
click Submit, then we will reach out to set an appointment to review the application with you!

PROTECT YOURSELF! GET YOUR CITIZENSHIP!

FREE | SECURE | ACCURATE | EASY

SAVE & COME BACK ONLINE LEGAL HELP CONNECT WITH EXPERTS

DON'T WAIT. GO ONLINE TODAY @ citizenshipworks.org/portal/houston

NEW AMERICAN CITIZENSHIP CITIZENSHIPWORKS. OCA

1. Driver's License or ID card
2. Social Security Card
3. Legal Permanent Resident Card (Greencard)
4. Past and Current Passports
5. Addresses and Dates of every place you have lived at for the past 5 years (in chronological order starting with the most recent dates)
6. Company and/or School Names, Addresses and Dates of every place you have worked at for the past 5 years (in chronological order starting with the most recent dates) Also include any periods of time you were either a homemaker, student, and/or unemployed
7. List of Dates & Reason for Court Appearance for all traffic tickets or other court related issues
8. List of all current and past spouses, dates of marriage and divorce, current spouse's A# if they have one or date of naturalization (citizenship date), their birthdate, and their current residence address
9. Marriage certificate if you are applying for citizenship based on marriage to your spouse for at least 3 years
10. List of all children (biological & stepchildren), their A# if they have one, their birthdate, and their current residence address
11. SNAP Award Letter if you have one and your tax return for last year if you want us to check if you can qualify for a waiver or discount of the USCIS Application Fees

Visit www.citizenshipworks.org/portal/houston to start!

OCAHOUSTON.ORG | Citizenship Questions: (281) 968-9131

OCA-RESPONSE APPX-104

OCAGH_00017978

000174

GET OUT THE VOTE



Election Day:
Tuesday,
November 8th, 2022

Early Voting:
October 24 - November 4

MORE INFO? VISIT:

Harris County:
harrisvotes.com

Fort Bend County:
<https://bit.ly/3TjIwj4>



JACL
Japanese American Citizens League



Exhibit 11

Bob Kafka

April 07, 2022

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO,)
et al,)
Plaintiffs,)
v.) Case No. 5:21-cv-844-XR
GREGORY W. ABBOTT, et al.,)
Defendants.)

OCA-GREATER HOUSTON, et al.,)
Plaintiffs,)
v.) Case No. 1:21-cv-780-XR
JOHN SCOTT, et al.,)
Defendants.)

HOUSTON JUSTICE, et al.,)
Plaintiffs,)
v.) Case No. 5:21-cv-848-XR
GREGORY WAYNE ABBOTT, et al.,)
Defendants.)

LULAC TEXAS, et al.,)
Plaintiffs,)
v.) Case No. 1:21-cv-0786-XR
JOHN SCOTT, et al.,)
Defendants.)

MI FAMILIA VOTA, et al.,)
Plaintiffs,)
v.) Case No. 5:21-cv-0920-XR
GREG ABBOTT, et al.,)
Defendants.)

Bob Kafka

April 07, 2022

Page 2

1 UNITED STATES OF AMERICA,)
 Plaintiff,)
 2)
 v.) Case No. 5:21-cv-1085-XR
 3)
 THE STATE OF TEXAS, ET AL.,)
 4 Defendants)

5
 6
 7
 8 * * * * *

9 VIDEOTAPED ORAL DEPOSITION OF

10 BOB KAFKA

11 April 7, 2022

12 * * * * *

13
 14
 15 VIDEOTAPED ORAL DEPOSITION OF BOB KAFKA, produced as
 16 a witness at the instance of the Office of the Attorney
 17 General, and duly sworn, was taken in the above-styled and
 18 numbered cause on the 7th day of April, 2022, from 10:12 a.m to
 19 4:25 p.m., before Dottie Norman, Certified Shorthand Reporter
 20 in and for the State of Texas, reported by machine shorthand,
 21 at the Offices of Disability Rights Texas, 2222 W. Braker Lane,
 22 Austin, Texas, pursuant to the Federal Rule of Civil Procedure
 23 30(b)(6) and the provisions stated on the record.
 24
 25

A P P E A R A N C E S

FOR DISABILITY RIGHTS TEXAS:

By: LIA SIFUENTES DAVIS
-and-
LUCIA ROMANO
2222 W. Braker Lane
Austin, Texas 78758
512.454.4816

FOR ACLU FOUNDATION OF TEXAS, INC.:

By: THOMAS BUSER-CLANCY
-and-
SAVANNAH KUMAR (Present from 1:30 p.m. - 4:25 p.m.)
5225 Katy Freeway, Suite 350
Houston, Texas 77007
713.942.8146

FOR THE OFFICE OF THE ATTORNEY GENERAL:

By: ERIC A. HUDSON, Senior Special Counsel
-and-
KATHLEEN HUNKER (Via Zoom)
P.O. Box 12548 (MC-009)
Austin, Texas 78711-2548
512.463.2100

FOR THE BEXAR COUNTY DISTRICT ATTORNEY'S OFFICE:

By: LISA V. CUBRIEL
101 W. Nueva, 7th Floor
San Antonio, Texas 78205
210.335.2311
(Via Zoom)

ALSO PRESENT:

Manuel Martin, Videographer
Michael Stewart: United States of America (via Zoom)
Shira Wakschlag: HAUL Plaintiffs (via Zoom)
Anthony Nelson: Travis County Defendants (via Zoom)
Courtney Hostetler: Mi Familia Vota (via Zoom)
Leigh Tognetti (via Zoom)
Sam Fishman (via Zoom)
Nick Adkins (via Zoom)
Julia Longoria (via Zoom)

Bob Kafka

April 07, 2022
Page 4

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Bob Kafka

April 07, 2022
Page 5

EXHIBITS

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Defendants' 1	Deposition Notice	9
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Defendants' 3	Senate Bill 1	39
Defendants' 4	Witness List August 9, 2021	47
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Defendants' 6	House Journal April 23, 2007	148
Defendants' 7	Indictment - Marlena Rosanne Jackson	151

1 THE VIDEOGRAPHER: We are now on the record.
2 This begins Videotape No. 1 in the deposition of Bob Kafka.
3 Today is April 7th, 2022, and the time is 10:12 a.m.

4 Will counsel and all parties present state their
5 appearance and who they represent?

6 MS. DAVIS: Lia Sifuentes Davis for Disability
7 Rights Texas representing REVUP.

8 MR. BUSER-CLANCY: Thomas Buser-Clancy with the
9 ACLU of Texas representing REVUP in the deposition.

10 MS. ROMANO: Lucia Romano, Disability Rights
11 Texas representing REVUP.

12 MR. HUDSON: Eric Hudson on behalf of the State
13 defendants by way of the Office of the Attorney General.

14 I'd also note for the record that we have
15 several participants via the Zoom feature which is being used
16 to simulcast this deposition virtually. It's my understanding
17 that no cross-notices have been filed. That said, we have
18 asked the videographer to send through the Chat function of
19 Zoom a request for all parties who are appearing at today's
20 deposition via Zoom to submit their names and information so
21 that they can be included as having appeared at the deposition
22 today.

23 BOB KAFKA,
24 having been first duly sworn, testified as follows:

25 EXAMINATION

1 A. Yeah. Again, I would have to go back and ask the
2 people, but we also put -- the podcast is -- excuse me. The
3 podcast is also -- excuse me -- is also shown on the YouTube
4 channel.

5 Q. You said you also do some hard copy documents. You
6 have also done a webinar --

7 A. Yeah.

8 Q. -- training on voting?

9 A. Right.

10 Q. Since Senate Bill 1 passed and was signed by the
11 Governor, have you had to amend any of that?

12 A. Well, we have had to move our focus. You know,
13 again, when I started going through the litany of education
14 issues, a lot of that has taken a back seat since SB 1. I
15 think about five or six of our podcasts have related directly
16 to Senate Bill 1 where our original plans was to start doing a
17 much more intensive, you know, education on those issues that I
18 mentioned previously in terms of that. So Senate Bill 1 has
19 taken, you know, at least on the podcasts and our document
20 development, much more of our time.

21 Q. Let me see if I can ask the question a different way
22 because I think what I'm asking is slightly different than what
23 you're answering.

24 A. Okay.

25 Q. Maybe I can break this out just a little bit.

1 media, both in print and, you know, all over social media. And
2 it also has coincided with the increase of the disability vote
3 because of some of the work that we had done since our creation
4 and work that had been done not just by us, but other
5 organizations. So, you know, the good part is that the number
6 of people who were more involved in the voting process is a
7 positive. But then SB 1 just caused that to, you know, take up
8 a predominant amount of our time. So it seems like it's
9 omnipresent.

10 Q. So even today?

11 A. Oh, yeah. I mean, it continued in terms -- you
12 know, we are gearing up now for the -- getting people educated
13 on the runoff and so the debacle in terms of the mail-in ballot
14 in the original primary, 24,000, you know, rejections. So
15 people are going -- we're going to be spending a lot of time
16 trying to make sure that doesn't occur again. But, you know, I
17 think that's why we're here.

18 Q. Well, let me ask you this: You spent time educating
19 voters in advance of the primary, right?

20 A. Uh-huh.

21 Q. And you have been training them on what Senate Bill
22 1 requires, right?

23 A. Yeah, but it was un -- even for those who had been
24 following that there was a lot of confusion about. And the
25 Secretary of State did not issue some of the information in a

1 Q. You have no basis to assert that early voting ballot
2 boards are operated by the Texas Office of the Attorney
3 General, right?

4 A. Right.

5 Q. Can you flip over to Section 6.06 of Senate Bill 1
6 on Defendants' 3? It's at page 54.

7 A. Okay.

8 Q. What is REVUP's issue with Section 6.06?

9 MR. BUSER-CLANCY: Objection; vague.

10 THE WITNESS: It basically criminalizes, you
11 know, the potential of a community attendant who in good faith
12 is assisting a person. And because of the narrowing of what
13 assistants can do are putting themselves in jeopardy when they
14 are potentially just assisting a person, and criminalizing
15 something when the individual in good faith signs the oath as
16 currently and then inadvertently, without knowing, setting up
17 something or not doing just the four things that are outlined
18 in Senate Bill 1 that they can do in the oath would be charged
19 with perjury. And that criminalizes it. And that is the
20 chilling effect, the criminalization of somebody just helping
21 somebody to vote. And when you -- and you even said it
22 yourself. With invisible disabilities and someone that may
23 need assistance, a deaf person, closed-head injury, uh, and
24 somebody thinks maybe even that person doesn't have a
25 disability and they are actually voting for them. So that's

Bob Kafka

April 07, 2022
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CHANGES AND SIGNATURE

BOB KAFKA April 7, 2022

PAGE	LINE	CHANGE	REASON
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Bob Kafka

April 07, 2022

Page 161

1 I, BOB KAFKA, have read the foregoing deposition and
 2 hereby affix my signature that same is true and correct, except
 3 as noted above.

4 _____
 5 STATE OF TEXAS)
 6 COUNTY OF TRAVIS)
 7

8 Before me _____ on this day
 9 personally appeared BOB KAFKA, known to me or proved to me
 10 under oath or through _____ (description of
 11 identity card or other document) to be the person whose name is
 12 subscribed to the foregoing instrument and acknowledged to me
 13 that they executed the same for the purposes and consideration
 14 therein expressed.

15 Given under my hand and seal of office this _____
 16 day of _____, 2022.

17
 18
 19
 20 _____
 21 NOTARY PUBLIC IN AND FOR
 22 THE STATE OF TEXAS
 23
 24
 25

Bob Kafka

April 07, 2022
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IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO,)
et al,)
Plaintiffs,)
v.) Case No. 5:21-cv-844-XR
GREGORY W. ABBOTT, et al.,)
Defendants.)

OCA-GREATER HOUSTON, et al.,)
Plaintiffs,)
v.) Case No. 1:21-cv-780-XR
JOHN SCOTT, et al.,)
Defendants.)

HOUSTON JUSTICE, et al.,)
Plaintiffs,)
v.) Case No. 5:21-cv-848-XR
GREGORY WAYNE ABBOTT, et al.,)
Defendants.)

LULAC TEXAS, et al.,)
Plaintiffs,)
v.) Case No. 1:21-cv-0786-XR
JOHN SCOTT, et al.,)
Defendants.)

MI FAMILIA VOTA, et al.,)
Plaintiffs,)
v.) Case No. 5:21-cv-0920-XR
GREG ABBOTT, et al.,)
Defendants.)

Bob Kafka

April 07, 2022
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1 UNITED STATES OF AMERICA,)
 Plaintiff,)
 2)
 v.) Case No. 5:21-cv-1085-XR
 3)
 THE STATE OF TEXAS, ET AL.,)
 4 Defendants)

5
 6 REPORTER'S CERTIFICATION
 7 VIDEOTAPED ORAL DEPOSITION OF
 BOB KAFKA
 April 7, 2022

8 I, DOTTIE NORMAN, Certified Shorthand Reporter
 9 in and for the State of Texas, hereby certify to the following:

10 That the witness, BOB KAFKA, was duly sworn by
 11 the officer and that the transcript of the oral deposition is a
 12 true record of the testimony given by the witness;

13 I further certify that pursuant to FRCP Rule
 14 30(f)(1) that the signature of the deponent:

15 X was requested by the deponent or a party
 16 before completion of the deposition and returned within 30 days
 17 from date of receipt of the transcript. If returned, the
 18 attached Changes and Signature Page contains any changes and
 19 the reasons therefor;

20 _____ was not requested by the deponent or a
 21 party before the completion of the deposition.

22 I further certify that I am neither attorney nor
 23 counsel for, related to, nor employed by any of the parties to
 24 the action in which this testimony was taken. Further, I am
 25 not a relative or employee of any attorney of record in this

Bob Kafka

April 07, 2022
Page 164

1 cause, nor am I financially or otherwise interested in the
2 outcome of the action.

3 Subscribed and sworn to on this the _____ day
4 of _____, 2022.

5 

6
7 DOTTIE NORMAN, Texas CSR 2283
8 Expiration Date: 8/31/2023
9 Magna Legal Services
10 Firm Registration No. 633
11 16414 San Pedro, Suite 900
12 San Antonio, Texas 78232
13 866.672.7880
14
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24
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Exhibit 12

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR)
(consolidated cases)

SUPPLEMENTAL DECLARATION OF BOB KAFKA

My name is Bob Kafka. I am over the age of 21 and fully competent to make this declaration. I previously submitted a declaration in this case. *See* ECF 611-1, Ex. 41. The facts in my first declaration remain true and this second declaration is intended only to supplement the first, which is incorporated by reference here. Some of the facts set out in the first declaration are repeated here for ease of reading. Under penalty of perjury, I declare the following based on my personal knowledge:

1. I am the coordinator of REVUP-Texas (“REVUP”), as well as one of three Board members.
2. REVUP stands for Register, Educate, Vote, Use Power.
3. REVUP is a statewide, non-partisan, nonprofit grassroots organization that was formed in 2015.
4. REVUP is a member-based organization whose members are primarily individuals with disabilities. REVUP currently has about 500 members spread out across Texas. REVUP members with disabilities participate in and help guide the direction of REVUP’s efforts.

5. REVUP's members include voters who are eligible to vote by mail.
6. Since its inception, REVUP's mission has been to empower persons with disabilities through voter registration and assistance, issue advocacy, mobilization and organizing. REVUP typically engages in a variety of advocacy efforts on behalf of its members, which includes supporting certain policies at local and state legislative bodies, as well as outreach to members to support these policies. This advocacy involves outreach to its members and others in the disability community through in-person events and trainings.
7. A primary focus of accomplishing REVUP's mission is registering persons with disabilities, and their allies, to vote. REVUP, therefore, spends significant time to get as many of these individuals registered to vote as it can. A corollary focus is educating REVUP members and the broader disability community about issues that impact their lives.
8. To further REVUP's mission to register persons with disabilities, REVUP participates in National Voter Registration Day, and National Disability Voter Registration Week, which is coordinated nationwide by the American Association of People with Disabilities.
9. To further REVUP's mission to educate its members and the disability community about registering to vote and about issues that impact them, REVUP has a dedicated website, a podcast series entitled "Use Your Power," and a presence on social media (e.g., Facebook, Instagram, and Twitter).
10. REVUP also produces PSAs to educate and inform its members and the broader disability community about voter registration and issues that impact their lives.
11. SB 1's passage, however, forced REVUP to shift its focus away from its established voter registration and education efforts and instead focus on educating voters about SB 1's changes to the mail-in-voting process, changes that place new barriers on getting a mail-in ballot.

12. Prior to SB 1's enactment, REVUP's plans were to devote substantial time and resources on educating its members and the disability community about issues that affect their lives. Instead, much time and resources were diverted to producing and disseminating podcasts and informational materials focused on SB 1, including changes and barriers in the new vote-by-mail process.

13. Educating REVUP's members and others about the risks of improper rejection of a mail-in ballot hampers REVUP's mission of expanding voter registration and increasing voter turnout of persons with disabilities.

14. REVUP has very limited resources—members do not pay dues—so that time and resources spent producing and disseminating informational materials and podcasts, answering calls and emails, and updating its website to explain the changes and barriers to mail-in-voting, are resources it would otherwise spend elsewhere.

15. REVUP's voter registration and get out the vote efforts, as well as its goal of empowering the disability community to become a constituency, are undercut when persons with disabilities vote –by mail but have their ballots or applications rejected due to an immaterial identification issue.

16. Because of SB 1 and its changes to the mail-in voting process, REVUP has had to expend some of its extremely limited financial resources on getting its website updated and for American Sign Language interpreters for its SB 1 podcasts and trainings.

17. Unless and until SB 1's vote-by-mail requirements are changed, REVUP's voter registration and get out the vote efforts and its policy advocacy will continue to suffer because REVUP will need to continue to spend time and resources educating and warning its members about these onerous and immaterial requirements.

18. REV UP continues to have concerns and diverts resources to address voter assistance restrictions imposed by SB 1. Because SB 1 also imposes criminal penalties for receiving assistance to vote by mail, REV UP is concerned about these restrictions making it harder for persons with disabilities to vote who do not rely on attendants and caregivers, but rather friends who they would need to compensate for their time helping them vote by mail. REV UP also remains concerned about the oath assistors must make under penalty of perjury and the deterring effect this has on assistors and individuals with disabilities not wanting to expose their assistors to an oath.

19. In the past year, REV UP has had to continue to divert its outreach and office time to continue to answer questions about the assistor requirements and penalties imposed by SB 1 as there remains much confusion in the disability voting community. This has taken time away from REV UP's core mission of voter registration and trying to reach new populations so that individuals with disabilities can become registered and vote for the first time.

20. Additionally, REV UP hosts and will continue to host monthly meetings of its 10 regional coordinators. The monthly sessions will focus on issues facing the organization, share information with, and collect feedback from our regional coordinators. While REV UP would want to focus all or most of the session on our core mission of voter registration, we will, unfortunately, need to re-direct and arrange for several portions of these sessions to be devoted to mail-in voting and voter assistance restrictions imposed by SB 1.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on June 16, 2023, at Austin, Texas, 2:19 PM CDT.

DocuSigned by:

 17C999BCDC824AC...
 Bob Kafka